

**Frederick County Ethics Commission**  
**Minutes for the Public Meeting of Wednesday, May 9, 2018**

Present:       Stephen K. Hess, Chair  
                  Christopher D. Glass, Sr., Commission Member  
                  Ernest A. Heller, Commission Member  
                  Deborah L. Lundahl, Commission Member  
                  Alan Shapiro, Commission Member  
                  Deidre R. Davidson, Alternate Commission Member  
                  Linda B. Thall, Senior Assistant County Attorney

Absent:        Timothy J. Tosten, Vice Chair  
                  M. Shane Canfield, Commission Member

The meeting of the Frederick County Ethics Commission began at 7:00 p.m. on May 9, 2018, in the Winchester Hall 3<sup>rd</sup> floor meeting room, 12 East Church Street, Frederick, Maryland 21701.

**Approval of minutes** – The draft minutes from the March 14, 2018 meeting were emailed to the members before the meeting.

**MOTION:**   Mr. Heller made a motion to approve the minutes. The motion was seconded by Mr. Glass and the motion was approved unanimously.

**Training plan** – The members discussed how to proceed on developing a plan to implement ethics training for County officials and employees. The next step is to draft a letter to the County Executive to present the Commission's recommendation for mandatory ethics training. Mr. Glass recommended that the letter focus on why mandatory training is needed and keep the other parts of the letter more general. He believes that it is up to the County to decide how to implement the training program that will be developed by the Ethics Commission. Mr. Shapiro recommended that the main focus be on the content of the training recommendation. Mr. Heller recommended creating an outline for the training program and noted that hypothetical scenarios should be included in the training. Ms. Davidson discussed a possible software option that could be used to train employees who have access to a computer.

1.       With regard to the frequency of the training, the members unanimously agreed to recommend requiring annual training. The focus of the training could differ each year and take into account any changes to the ethics law and the public ethics law.
2.       The members unanimously agreed to recommend that all employees and officials receive training. Mr. Heller supported allowing County management to decide whether exemptions for seasonal employees and contractual employees should be made.

3. The members agreed to defer a decision on the delivery method(s) for the training,

4. The members unanimously agreed that documentation should be required from persons participating in the training to show that training was completed. The nature of the documentation will be discussed at a later meeting.

Mr. Heller and Ms. Davidson volunteered to work on the details for the contents of the training program. Mr. Canfield will also be contacted to determine his ability to participate in this task. Mr. Shapiro and Mr. Glass volunteered to work on drafting the explanation of the need for the training program. Ms. Davidson volunteered to assist with this, if needed. The explanation should include examples of issues that the Commission has dealt with and address the liability concerns if training is not provided.

**Discussion of Ethics Law brochure** – Ms. Davidson distributed the revised brochure, which contained Mr. Shapiro’s amendments. Mr. Heller favored making the brochure available now, as it would provide useful guidance to employees and offer some protection to the County from a liability perspective. Ms. Davidson will provide a PDF version of the brochure that can be posted online on the Commission’s webpage.

**MOTION:** Mr. Shapiro made a motion to approve the brochure. The motion was seconded by Mr. Heller and was approved unanimously.

**Discussion of next scheduled meeting date** – The Commission’s next meeting date is currently June 13. The Commission’s legal advisor is unable to attend that meeting. The Commission members agreed to cancel the June meeting, making the next meeting date July 11.

**Discussion of amendments to the Public Ethics Law** – The legal advisor advised the Commission that the Governor signed Senate Bill 289, which amends the Public Ethics Law. The Commission was alerted to the fact that an issue involving the interpretation of one of the Bill’s provisions might be referred to the Ethics Commission for guidance. The Commission asked for a copy of the Bill.

### **Adjournment**

The Ethics Commission adjourned its meeting at 7:55 p.m.

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/s/  
Linda B. Thall, Senior Assistant County Attorney